

REMARKS

Claims 1-11 are pending. Claims 1-2 and 9-11 have been withdrawn from consideration. By this Amendment, claims 3-4 and 6 are amended. No new matter is added.

Objection to the Claims

The Office Action objects to claim 3 for containing an asserted informality. Applicants have corrected the term --cutter-- at line 4 of claim 3. Reconsideration and withdrawal of the objection to claim 3 are respectfully requested.

Section 103 Rejections

The Office Action rejects claims 3 and 5 under 35 U.S.C. § 103(a) as being obvious over Majkrzak (U.S. Patent No. 6,294,038 B1) in view of Chiang et al. (U.S. Patent No. 3,956,223). Claim 4 is rejected over Majkrzak and Chiang et al. and further in view of Suzuki et al. (U.S. Patent No. 4,992,123). Claims 7 and 8 are rejected over Majkrzak and Chiang et al. and further in view of Ahr (U.S. Patent No. 5,837,087). The Office Action also rejects claims 3 and 6 under 35 U.S.C. § 103(a) as being obvious over Nash (U.S. Patent No. 5,674,345). in view of Suzuki et al. and Parrish et al. (U.S. Patent No. 6,494,244). These rejections are traversed.

The present claims are directed to a label-pasting device including an adhesive applier for applying pressure-sensitive adhesive to a label-material sheet composed of only label material; a die cutter for cutting out labels from the label-material sheet with

pressure-sensitive adhesive; and a label paster for pasting the cut-out labels on a packing sheet.

Majkrzak discloses an apparatus and method for applying linerless labels. Majkrzak discloses “applying adhesive to at least one face of [a] printed first sheet material...; applying adhesive to at least one face of the printed first sheet material; ...cutting the sheet material into individual labels; ...applying a face of the individual labels to a temporary reusable carrier sheet to form a sheet of label stock; and ...rolling the sheet of label stock into a roll of label stock” see steps b) to e) in the Abstract of Majkrzak.

Applicants note that the Office Action correctly states regarding present claim 4 that “Majkrzak is silent as to applying the pressure-sensitive adhesive to an area within the outline of, and smaller than, each cut portion of the sheet material to be cut by the cutter” (page 3, section 3, of the Office Action). However, the Office Action asserts that “a nozzle-type adhesive applicator is capable of applying pressure-sensitive adhesive to an area within the outline of, and smaller than, each cut portion of the sheet material to be cut by the cutter” (last sentence of section 3 of the Office Action-page 4).

However, obviousness of present claim 4 would require the prior art to actually teach or suggest that an adhesive application does apply pressure-sensitive adhesive to an area within the outline of, and smaller than, each cut portion of the sheet material to be cut by the cutter, not that the prior art is capable of being reconfigured to do so.

Thus, in order to expedite prosecution of this application, Applicants have incorporated a former limitation of claim 4 regarding “the adhesive applier applies pressure-sensitive adhesive to an area within the outline of, and smaller than, each label

portion of the label-material sheet to be cut out by the die cutter" into present claim 3 thus even more clearly distinguishing the present claims from Majkrzak.

As none of Majkrzak, Chiang et al., Suzuki et al., Ahr, Nash and Parrish et al. teach or suggest that an "adhesive applier applies pressure-sensitive adhesive to an area within the outline of, and smaller than, each label portion of the label-material sheet to be cut out by the die cutter," Applicants respectfully submit that incorporating this limitation into present claim 3 also clearly distinguishes the present claims from each of the asserted combinations of references.

For at least the above reasons, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are respectfully requested.

Applicants respectfully submit that this application is in condition for allowance and such action is earnestly solicited. If the Examiner believes that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below to schedule a personal or telephone interview to discuss any remaining issues.

Please charge any fee deficiency or credit any overpayment to Deposit Account
No. 01-2300, referencing attorney docket number 107390-00005.

Respectfully submitted,

A handwritten signature in black ink, reading "Robert K. Carpenter". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Robert K. Carpenter
Registration No. 34,794

Customer No. 004372
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
1050 Connecticut Avenue, N.W.,
Suite 400
Washington, D.C. 20036-5339
Tel: (202) 857-6000
Fax: (202) 638-4810

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